

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

SAMUEL BIAR PECH,
Plaintiff

v.

**CENTRAL INTELLIGENCE
AGENCY,**
Defendant

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Case No. 1:23-CV-01350-DII

ORDER

Plaintiff Samuel Biar Pech filed his Complaint on November 6, 2023 (Dkt. 1). To date, however, there is no indication that Plaintiff has served Defendant with the complaint and summons. “If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” FED. R. CIV. P. 4(m). Because Defendant is a United States agency, service also must comply with Federal Rule of Civil Procedure 4(i). More than 90 days have passed since Plaintiff filed his complaint.

IT IS ORDERED that Plaintiff shall show cause in writing on or before **March 1, 2024**, as to why the claims against Defendant should not be dismissed for failure to timely effectuate service. Failure to do so may result in the dismissal of this action. *See* FED. R. CIV. P. 41(b) (action may be dismissed for want of prosecution or failure to comply with court order); *Larson v. Scott*, 157 F.3d 1030, 1031 (5th Cir. 1998) (district court has authority to dismiss case for want of prosecution or failure to comply with court order).

SIGNED on February 12, 2024.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE